

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

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Secretary to the Commission

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OPINION 183

On the principles to be observed in interpreting
Article 8 of the International Code in relation
to the form in which generic and subgeneric
names are to be published

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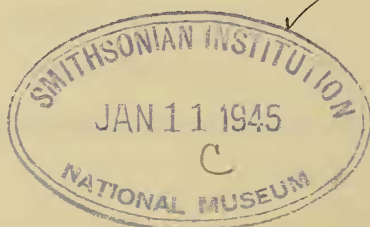
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OPINION 183.

ON THE PRINCIPLES TO BE OBSERVED IN INTERPRETING ARTICLE 8 OF THE INTERNATIONAL CODE IN RELATION TO THE FORM IN WHICH GENERIC AND SUBGENERIC NAMES ARE TO BE PUBLISHED.

SUMMARY.—The provision in Article 8 of the International Code that a generic name is to consist of a noun¹ in the nominative singular is to be interpreted as prescribing that no name is to be accepted as a generic name until it has been published in the nominative singular. A name first published in some number or case other than the nominative singular and later published in the nominative singular is, under Article 25 of the International Code, available as a generic name only as from the date on which it is for the first time published in the nominative singular. In virtue of Article 7 of the International Code, the foregoing provisions apply also to the form in which subgeneric names are to be published.

I.—THE STATEMENT OF THE CASE.

The question whether, in order to comply with the requirements of Article 8 of the International Code, a generic (or subgeneric) name must be published in the nominative singular was submitted to the International Commission on Zoological Nomenclature in February 1934 when Professor Dr. O. H. Schindewolf,² Preuss. Geolog. Landesanstalt, Berlin, presented for decision a particular example of this problem in connection with the name *Clymenia* Münster, 1832, *Naturh. Atlas* 4: 489³ (Class Cephalopoda, Order Ammonoidea). In this case the question for decision was

¹ The French text of the International Code of Zoological Nomenclature is the sole authentic text, the English, German, and Italian texts being only Official Translations of the French text. In the case of Article 8, it may be noted that the French noun "substantif" is incorrectly translated as "substantive" in the English text. The correct translation of this word is, of course, "noun."

² The text of the petition submitted by Professor Schindewolf is reproduced in full in paragraph 1 of *Opinion* 182 (see pp. 3-5).

³ For the evidence on which this name is here spelt *Clymenia* and not *Clymeneia* and is treated as having been published by Münster in 1832, *Naturh. Atlas* 4: 489 and not in 1830, *Bemerkungen zur nähern Kenntniss der Belemniten*, see footnote 1 to *Opinion* 182 (p. 3).

whether the names in the nominative plural published by Gmbel in 1863 for subdivisions of that genus were to be accepted as having status as subgeneric names as from that date or whether those names should be deemed to have no status in nomenclature until 1883, the year in which they were published for the first time in the nominative singular.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. The question of principle relating to the interpretation of Article 8 and the particular case of the group names published by Gmbel in 1863 were considered by the Commission concurrently. During the preliminary examination of these questions in the years 1934 and 1935, the following comments were received from Commissioner Karl Jordan and Commissioner Rudolf Richter :—

(a) *Comments by Commissioner Karl Jordan*

As Gmbel did not employ any of the names in the singular form, they should be dated 1883 when Hyatt published his classification.

If we do not insist that a new generic (or subgeneric) name must be published in the singular, Latin taxonomic terms such as "Sphingiformes" might be construed as names and lead to much confusion.

(b) *Comments by Commissioner Rudolf Richter*

(1) Die Gmbel'schen Gruppen-Namen (1863) kommen als Gattungsnamen nicht in Betracht, da sie—entgegen dem Art. 8—in der Mehrzahl und nicht in der Einzahl angewandt worden sind.

(2) Als Autor der von Gmbel (1863) in der Mehrzahl und von Hyatt (1883) in der Einzahl angewandten, sonst aber gleichlautenden Namen hat daher Hyatt 1883 zu gelten.

In Gemeinschaft mit Dr. Rob. Mertens.

3. In 1936 the Commission took a vote on a proposal that they should render an *Opinion* on the lines suggested by Commissioners Jordan and Richter (paragraph 2 above), that is to say that the Commission should declare that under Article 8 of the International Code the names published in the nominative plural by Gmbel in 1863 had no status in nomenclature until they were republished in the nominative singular by Hyatt in 1883.

4. At their Session held at Lisbon the Commission had been confronted with an application which, like that submitted by Professor Schindewolf, involved both the status of a particular name (*Urothoe* Dana) and the interpretation of a particular Article (Article 4) of the International Code. In that case the Commission decided that their proper course would be to dispose of this application by rendering two *Opinions*, the first dealing

with the name *Urothoe* Dana ⁴ and the second with the interpretation of Article 4 of the Code ⁵ (Lisbon Session, 4th Meeting, Conclusions 6 and 7). Later at the same meeting, the Commission had under consideration a similar problem of procedure in connection with an application relating to the interpretation of Article 34 of the Code. In this case the Commission had already taken a decision on the question of principle when deciding upon the status of certain names which had been submitted to them for an *Opinion*.⁶ In the course of the discussion of this case it was pointed out that it was difficult for working zoologists to detect decisions on questions of principle when these were published only incidentally in *Opinions* dealing with particular cases. The decision then taken by the Commission on the general question of procedure involved (Lisbon Session, 4th Meeting, Conclusion 15) was as follows :— ⁷

On the general issue involved the Commission was unanimously of the view that, when the Commission reached a decision of interest to the general body of zoologists, it was of the greatest importance that that decision should be presented in such a way as to ensure that it was readily available to all concerned.

5. In accordance with the procedure laid down by the Commission at their Lisbon Session (as set out in the preceding paragraph), separate *Opinions* have been prepared for the two questions submitted by Professor Schindewolf, namely the status of the names published by Gumbel in 1863 and the interpretation of Article 8 of the Code which governs the status of those names.

6. The decision of the Commission in regard to the status of Gumbel's names has been given by the Commission in *Opinion* 182 as follows :—

The names published in the nominative plural by Gumbel in 1863 for subdivisions of the genus *Clymenia* Münster, 1832 (Class Cephalopoda, Order Ammonoidea) are not available as subgeneric names as at that date. These names are available as at 1883, when they were published by Hyatt in the nominative singular. Hyatt is to be treated as the author of these names.

7. In addition to the comments from Commissioners Jordan and Richter quoted in paragraph 2 above, the following com-

⁴ See *Opinion* 133.

⁵ See *Opinion* 141 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2: 55-66).

⁶ The *Opinion* here referred to had been agreed upon by the Commission prior to the Lisbon Session but at that time was as yet both unnumbered and unpublished. It was published as *Opinion* 125 in October 1936. The names dealt with were *Borus* Agassiz, 1846, *Boros* Herbst, 1797, and *Borus* Albers, 1850.

⁷ For the full text of Conclusion 15, see *Bull. zool. Nomencl.* 1: 40-41.

ments on the interpretation of Article 8 were received from Commissioners Cabrera, Stejneger, Peters and Hemming during the voting on the proposal referred to in paragraph 3 above :—

(a) *Comments by Commissioner Angel Cabrera*

I think this question is not open to discussion as Art. 8 of the Code clearly lays down that generic terms must be names in the singular.

(b) *Comments by Commissioner Leonhard Stejneger*

My reason for dissenting is that I do not consider that the wording of Article 8 demands that a generic or subgeneric name must have been proposed in the nominative singular in order to become available from the date of its publication. Gumbel's names were proposed as "Untergattungen" and when so *employed* are to be put in the nominative singular.

(c) *Comments by Commissioner James L. Peters*

I concur with the *Opinion* as set forth in Circular Letter 330,⁸ with the reservation that nothing therein shall be construed as affecting the validity of names of Merrem, 1786, or Sundevall, 1857, written in the accusative case under the requirements of correct classical grammar.

(d) *Comments by Commissioner Francis Hemming*

I agree with Commissioner Cabrera that the question before the Commission is a question which, in view of Article 8 of the International Code, is not one that is open to discussion. That Article states categorically that a generic name (or, through Article 7, a subgeneric name) must be a noun in the nominative singular. The wording of this Article in the authoritative French text is as follows :—

Art. 8. Le nom générique consiste en un mot unique, simple ou composé, écrit par une première lettre capitale et employé comme substantif⁹ au nominatif singulier. Exemples : *Canis, Perca, Ceratodus, Hymenolepis*.

2. A name published in the nominative plural (such as those published by Gumbel) does not comply with the above requirement and accordingly has no status in nomenclature until it is published in a manner that complies with the provisions of Article 8, *i.e.* until it is published in the nominative singular.

3. This is a wise and indeed essential provision both from the theoretical and from the practical standpoint. From the theoretical standpoint, it is essential, because in the case of most pseudo-latin nouns (such as are the majority of modern generic names), it is impossible to determine with certainty what would be the correct nominative singular from an inspection of a word which purports to be either a different case of the same number

⁸ The Circular Letter here referred to contained the petition submitted by Professor Schindewolf (which is quoted in full in paragraph 1 of *Opinion* 182), the comments thereon received from Commissioners Jordan and Richter (quoted in paragraph 2 of *Opinion* 182) and Commissioner Stiles's proposals regarding the action to be taken in this case (see paragraph 4 of *Opinion* 182).

⁹ For the correct translation in English of the French noun "substantif," see footnote 1.

(e.g. an accusative singular) or the same or a different case of a different number (e.g. a nominative plural or an accusative plural). Even in the case of a genuine classical noun, there may be room for similar doubts. Any uncertainty as to the correct form of the nominative singular of a word published as a generic name would not only be a source of embarrassment to the specialists in the group concerned but would also cause serious inconvenience (and confusion) in other groups where a similar word had been published as a generic name, since there would be no means of determining whether under Article 34 the name in question should be rejected as a homonym of the doubtful name first published in some case or number other than the nominative singular.

4. From the practical standpoint this provision of the Code is a wise one, for, if it were not for it, the very large number of group names in some Orders published in the nominative plural would become available as generic names, for example in the Lepidoptera in the family RIODINIDAE by Stichel (*Lepid. Cat.* 38, 40, 41, 44). It is also an equitable provision, since to recognise such names as having status as subgeneric names would not only cause the utmost confusion but would also be manifestly contrary to the intention of the authors concerned.

5. A name clearly published as a generic name but printed only in some case other than the nominative singular (say the accusative singular) in a work written in latin is open to the same objection as are names published in the nominative plural, for they fail to satisfy the requirements of Article 8 that a generic name must be a noun in the nominative singular. It is equally desirable that this rule should apply to this class of case, since here also it is often just as difficult to determine from an inspection of an accusative singular what would be the form of the nominative singular as it is in the case of a nominative plural. A good example of this kind of difficulty is provided in the work of Mabilie in the order Lepidoptera (family HESPERIIDAE). In 1883 this author published a new generic name (*Bull. Soc. ent. Belg.* 1883 : 53) in the genitive singular, the word being given as *Brachycorynae*. From this indication it would have been reasonable to infer that Mabilie considered the nominative singular (and therefore the generic name) to be *Brachycoryna*. In fact, however, when he next published this name (1904, *Gen. Ins.* 17(B) : 81), Mabilie spelt it *Brachycoryne*. If the publication of a new generic name in any case and number other than the nominative singular were permissible under the Code, it would have been necessary in the example quoted to determine whether *Brachycorinae* was the genitive singular of *Brachycoryna* (as one would naturally expect) or of *Brachycoryne* (as Mabilie later showed to be his view). The difficulties inherent in zoological nomenclature are quite sufficient without adding quite unnecessary ones of this kind.

6. It may well be however that in some groups a particular generic name published otherwise than in the nominative singular has come to be generally accepted by the specialists concerned as having status as from the date on which it was so published and that difficulties would arise if it became necessary to treat that name as having been first published at some later date. It would seem to me reasonable in such a case that the Commission should be asked to use their plenary powers to secure that, notwithstanding the provisions of Article 8 of the Code, the name in question should rank for purposes of priority from the date on which it was published for the first time in any case and number instead of only from some later date on which it was first published in the nominative singular. In view, however, of the fact that the publication of a generic name in any group invalidates as a homonym any identical generic name published at a later date in any other group, it would be necessary for the Commission, in considering a proposal to validate a given generic name, to consider also whether the use of their plenary powers in this way would have objectionable repercussions on the nomenclature of any other group.

8. The other nine (9) Commissioners who voted on the double proposition submitted (paragraph 3 above) voted affirmatively without any comment.

9. As explained in paragraphs 3 to 5 above, the vote on the interpretation of Article 8 of the International Code was taken concurrently with that on the status of the names published in the nominative plural by Gumbel for subdivisions of the genus *Clymenia* Münster, 1830 (Class Cephalopoda, Order Ammonoidea). A decision on either of these cases necessarily involved a decision on the other and, when therefore on 31st December 1936 the Secretary to the Commission, acting in virtue of the powers conferred upon him in that behalf by Article 7 of the By-Laws, closed the ballot on the case of the names published by Gumbel (see paragraph 5 of *Opinion* 182), he closed also the ballot on the present case.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

10. The decision taken by the Commission in the present case is :—

- (a) that the provision in Article 8 of the International Code that a generic name is to consist of a noun in the nominative singular is to be interpreted as prescribing that no name is to be accepted as a generic name until it has been published in the nominative singular;
- (b) that a name first published in some number or case other than the nominative singular and later published in the nominative singular is, under Article 25 of the International Code, available as a generic name only as from the date on which it is for the first time published in the nominative singular;
- (c) that, in virtue of Article 7 of the International Code, the provisions set out in (a) and (b) above apply also to the form in which subgeneric names are to be published.

11. The following eleven (11) Commissioners voted in favour of the present *Opinion* :—

Cabrera; Calman; Chapman; Esaki; Fantham; Hemming; Jordan; Pellegrin; Richter; Stiles; and Stone.

12. The following two (2) Commissioners voted against the present *Opinion* :—

Peters; and Stejneger.

13. The following three (3) Commissioners did not vote on the present *Opinion* :—

Apstein; Bolivar y Pieltain; and Silvestri.

14. At the time when the vote was taken on the present *Opinion* there were two vacancies in the membership of the Commission. These were due to the death of Commissioner Handlirsch and the resignation of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to have been deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS eleven (11) Members of the Commission have signified their concurrence in the present *Opinion* :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the

International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Eighty Three (*Opinion* 183) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fifteenth day of December, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING